

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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MAJOR LEAGUE BASEBALL PROPERTIES, INC.,

Petitioner,

-against-

CORPORACION DE TELEVISION Y
MICROONDA RAFA, S.A.,

Respondent.

1:19-cv-8669-MKV

ORDER

MARY KAY VYSKOCIL, United States District Judge:

This matter is before the Court on the pre-motion letter of Petitioner Major League Baseball Properties, Inc. seeking permission to file a motion to compel third party Telemicro International Holding Corporation (TIHC), which Petitioner alleges is a New York-based subsidiary of Respondent, and Mayerlin Rosario, who Petitioner alleges is a “manager” of TIHC, to immediately comply with the subpoenas served on them by Petitioner. (Pet. Ltr. [ECF No. 88]). The history of the post-judgment discovery issues in this case is recounted in this Court’s Order dated October 28, 2021 [ECF No. 83]. In that Order, the Court denied without prejudice the Petitioner’s request for permission to file a motion to compel discovery responses from TIHC as moot because TIHC had responded to Petitioner and indicated that it was willing to respond to Petitioner’s discovery requests. (Order [ECF No. 83]).

Petitioner represents that since the time of the Court’s prior Order, TIHC has continued to hinder discovery and has not produced any documents or otherwise responded to Petitioner’s document requests. (Pet. Ltr. [ECF No. 88]). At the same time, Petitioner represents that Ms. Rosario has not responded to a subpoena for information, documents and a deposition and failed to appear for a scheduled deposition. (Pet. Ltr. [ECF No. 88]).

IT IS HEREBY ORDERED that Petitioner is granted leave to move to compel discovery. Any such motion shall be filed on or before January 12, 2022. Further briefing shall be submitted on the schedule set forth in Local Rule 6.1(a).

The Clerk of Court is respectfully requested to close docket entry 88.

SO ORDERED.

Date: December 1, 2021
New York, NY

Mary Kay Vyskocil
MARY KAY VYSKOCIL
United States District Judge